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BellSouth Telecommunications, Inc

333 Commerce Street

2004 DEC 20 AM 9: 35

Guy M Hicks **General Counsel**

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December 17, 2004

VIA HAND DELIVERY

Hon. Pat Mıller Chairman Tennessee Regulatory Authority 460 James Robertson Parkway Nashville, Tennessee 37243-0505

> Approval of the Amendment to the Interconnection Agreement Negotiated by BellSouth Re Telecommunications, Inc. and Vo2 Networx, Inc. Pursuant to Sections 251 and 252 of the Telecommunications Act of 1996

Docket No **0400440**

Dear Chairman Miller.

Pursuant to Section 252(e) of the Telecommunications Act of 1996, Vo2 Networx, Inc. and BellSouth Telecommunications, Inc are hereby submitting to the Tennessee Regulatory Authority the original and fourteen copies of the attached Petition for Approval of the Amendment to the Interconnection Agreement dated May 23, 2004. The Amendment relates to QuickServe.

Thank you for your attention to this matter

Sincerely yours, Guy M Hicks

Michael Bourne, Vo2 Networx, Inc cc:

BEFORE THE TENNESSEE REGULATORY AUTHORITY Nashville, Tennessee

In re:

Approval of the Amendment to the Interconnection Agreement Negotiated by BellSouth Telecommunications, Inc. and Vo2 Networx, Inc. Pursuant to Sections 251 and 252 of the Telecommunications Act of 1996

Docket	No.	
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PETITION FOR APPROVAL OF THE AMENDMENT TO THE INTERCONNECTION AGREEMENT NEGOTIATED BETWEEN BELLSOUTH TELECOMMUNICATIONS, INC. AND Vo2 NETWORX, INC. PURSUANT TO THE TELECOMMUNICATIONS ACT OF 1996

COME NOW, Vo2 Networx, Inc. ("Vo2") and BellSouth Telecommunications, Inc., ("BellSouth"), and file this request for approval of the Amendment to the Interconnection Agreement dated May 23, 2004 (the "Amendment") negotiated between the two companies pursuant to Sections 251 and 252 of the Telecommunications Act of 1996, (the "Act"). In support of their request, Vo2 and BellSouth state the following:

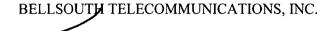
- 1. V02 and BellSouth have successfully negotiated an agreement for interconnection of their networks, the unbundling of specific network elements offered by BellSouth and the resale of BellSouth's telecommunications services to Vo2. The Interconnection Agreement was approved by the Tennessee Regulatory Authority ("TRA") on July 26, 2004.
- 2. The parties have recently negotiated an Amendment to the Agreement which relates to QuickServe. A copy of the Amendment is attached hereto and incorporated herein by reference.
- 3. Pursuant to Section 252(e) of the Telecommunications Act of 1996, Vo2 and BellSouth are submitting their Amendment to the TRA for its consideration and

approval. The Amendment provides that either or both of the parties is authorized to submit this Amendment to the TRA for approval.

- 4. In accordance with Section 252(e) of the Act, the TRA is charged with approving or rejecting the negotiated Amendment between BellSouth and Vo2 within 90 days of its submission. The Act provides that the TRA may only reject such an agreement if it finds that the agreement or any portion of the agreement discriminates against a telecommunications carrier not a party to the agreement or the implementation of the agreement or any portion of the agreement is not consistent with the public interest, convenience and necessity.
- 5. Vo2 and BellSouth aver that the Amendment is consistent with the standards for approval.
- 6. Pursuant to 47 USC Section 252(1) and 47 C.F.R. Section 51.809, BellSouth shall make available the entire Interconnection Agreement filed and approved pursuant to 47 USC Section 252

Vo2 and BellSouth respectfully request that the TRA approve the Amendment negotiated between the parties.

Respectfully submitted,



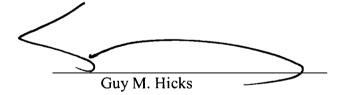
By: Guy

Guy M. Hicks 333 Commerce Street, Suite 2101 Nashville, Tennessee 37201-3300 (615) 214-6301 Attorney for BellSouth

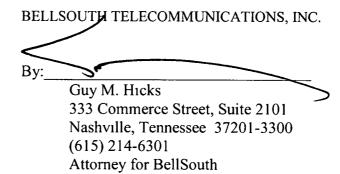
CERTIFICATE OF SERVICE

I, Guy M. Hicks, hereby certify that I have served a copy of the foregoing Petition for Approval of the Amendment to the Interconnection Agreement on the following via United States Mail on the day of 2004:

Michael Bourne Vo2 Networx, Inc. 1835 Moriah Woods Blvd. Suite 1 Memphis, TN 38117



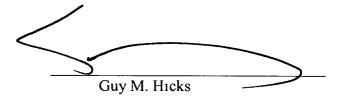
Respectfully submitted,



CERTIFICATE OF SERVICE

I, Guy M. Hicks, hereby certify that I have served a copy of the foregoing Petition for Approval of the Amendment to the Interconnection Agreement on the following via United States Mail on the day of the day

Michael Bourne Vo2 Networx, Inc. 1835 Moriah Woods Blvd. Suite 1 Memphis, TN 38117



Amendment to the Agreement Between

Vo2 Networx and

BellSouth Telecommunications, Inc.

Dated May 23, 2004

Pursuant to this Amendment, (the "Amendment"), Vo2 Networx (Vo2), and BellSouth Telecommunications, Inc (BellSouth), hereinafter referred to collectively as the "Parties," hereby agree to amend that certain Interconnection Agreement between the Parties dated May 23, 2004 (Agreement) to be effective thirty (30) days after the date of the last signature executing the Amendment

WHEREAS, BellSouth and Vo2 entered into the Agreement on May 23, 2004, and;

WHEREAS, both Parties agree that an initial New Installation of a 2-Wire Port/Loop Combination- Residence line provisioned at a Location where QuickServe is available on the line shall incur a QuickServe NonRecurring Charge (NRC) at the NRC Currently Combined Conversion Rate set forth in the Agreement and that any initial New Installation of a 2-Wire Port/Loop Combination - Residence line provisioned at a location where QuickServe is not available, shall incur the Not Currently Combined NRC, First and Additional rates set forth in the Agreement,

NOW THEREFORE, in consideration of the mutual provisions contained herein and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the Parties hereby covenant and agree as follows.

- 1 The Parties agree to incorporate into Attachment 2 of the Agreement the rates and USOCs as set forth in Exhibit 1 of this Amendment attached hereto and incorporated herein by this reference
- 2. All of the other provisions of the Agreement, dated May 23, 2004, shall remain in full force and effect.
- 3 Either or both of the Parties are authorized to submit this Amendment to the respective state regulatory authorities for approval subject to Section 252(e) of the Federal Telecommunications Act of 1996

IN WITNESS WHEREOF, the Parties have executed this Amendment the day and year written below

BellSouth Telecommunications, Inc.	Vo2 Networx
- 1/-1 5-1	MIR

By: Marie: Michael Bourne

Name: Kristen Rowe

Name: Michael Bourne

Title: Director

Date: 11/3/04

Date: 10/26/04

Version: QuickServe Amendment - Standard ICA 09/29/04

ICA Attachment 2	
Amendment -	
QuickServe	•
Version (0,00,00

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